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**IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF WYOMING**

KIMBERLY DEBEER, surviving spouse)
 and wrongful death personal)
 Representative of DANIEL DEBEER,)
 deceased,)

Plaintiff,)

v.)

Docket 23-cv-33

AMAZON LOGISTICS, INC., d/b/a)
 PRIME, AMAZON.COM, INC.,)
 AMAZON.COM SERVICES LLC,)
 AAF555 LLC, NORTHWEST EXPRESS)
 LLC, ASD EXPRESS, LLC and)
 JUSTIN NZARAMBA)

Defendants.)

**DEFENDANT JUSTIN NZARAMBA'S RESPONSES TO PLAINTIFF'S FIRST
 INTERROGATORIES**

COMES NOW, the Defendant, Justin Nzaramba, by and through Counsel, and hereby provides his responses to *Plaintiff's First Set of Interrogatories to Justin Nzaramba*.

INTERROGATORIES

INTERROGATORY NO. 1: Where were You coming from and where were You going

at the time of the accident as alleged in the Complaint?

ANSWER: I was coming from New jersey heading to Idaho and was traveling on I-80 West in Wyoming delivering an Amazon load.

INTERROGATORY NO. 2: State Your purpose in driving the commercial motor vehicle involved in the collision with Daniel DeBeer on March 31, 2021.

ANSWER: To deliver an Amazon Truck load. I am a Truck driver.

INTERROGATORY NO. 3: Describe the exact route that You followed from the point where Your trip commenced to the point where the accident occurred.

ANSWER: I was travelling from New Jersey to Idaho on I-80 and while in Wyoming the accident occurred.

INTERROGATORY NO. 4: Please state in detail how the accident occurred. If there is more than one version, state separately and identify its source.

ANSWER: While I was in Rock Springs, my truck tire failed and wouldn't let me turn in the direction I wanted and I tried to brake to slow down the truck but the collision still occurred.

INTERROGATORY NO. 5: State the full name and address of each person who witnessed or claims to have witnessed the accident.

ANSWER: None.

INTERROGATORY NO. 6: State the full name and address of each person who was present or claims to have been present at the scene or immediately before, at the time of, or immediately after the accident.

ANSWER: Just the law enforcement officer that was at the scene who talked to me. There were other truck drivers who were there, but I did not talk to them.

INTERROGATORY NO. 7: Did You give a statement(s), oral or written, to anyone concerning the incident as alleged in the suit? If so, state the name and address of person taking such statement(s).

ANSWER: I only gave a statement to the police officer who was at the scene.

INTERROGATORY NO. 8: State the condition of the roads and the weather at the time of the motor vehicle collision as allege in the suit.

ANSWER: The weather was good, sunny, and the wind was not bad.

INTERROGATORY NO. 9: Other than the incident at issue, please list all other incidents involving alleged personal injury and/or in which police came to the scene in which You have been involved.

ANSWER: None.

INTERROGATORY NO. 10: Please state with whom You were employed/under lease agreement within the last six (6) months prior to the motor vehicle collision with Daniel DeBeer. Please state the place of Your employment/lease, supervisors, type of work, and the length of time You were employed/leased at each place of employment.

ANSWER: Truck driver for USD Express who is under Northwest Express. Employed here for 6 months. Can't recall supervisor, etc.

INTERROGATORY NO. 11: Please identify each and every person You expect to call as an expert witness (including under Federal Rules of Evidence 702, 703, or 705) at the trial of this matter and for each expert witness, please provide all

information required by Fed. R. Civ. P. 26(a)(2)(A-C).

ANSWER: Who will be called as an expert has not been determined at this time.

INTERROGATORY NO. 12: List the name, address and telephone number of each person likely to have discoverable information about the claims and defenses in this case, even if You do not intend on calling that person as a witness.

ANSWER: In addition to myself, the law enforcement officer who talked to me at the scene, and individuals who preformed work or service on the vehicle prior to the collision.

INTERROGATORY NO. 13: Has any person likely to have discoverable information about the claims and defenses in this case given a written or recorded statement to You or Your agent? If so, please state the name and address of such person, the name and address of the person who has the present custody or control of each such statement.

ANSWER: I provided an oral statement to the law enforcement officer who talked to me at the scene. That is the only statement I am aware of.

INTERROGATORY NO. 14: List and describe any and all items You intend to offer as exhibits at trial and explain how each item supports Your case. In the alternative, attach copies of all such exhibits to Your Answers.

ANSWER: Defendant Nzaramba has not determined what exhibits will be offered at trial.

INTERROGATORY NO. 15: Identify and describe any and all demonstrative evidence You intend to use at trial and describe how it supports Your case. In the alternative, attach copies of all such evidence to Your Answers.

ANSWER: Defendant Nzaramba has not determined what demonstrative exhibits will be used at trial.

INTERROGATORY NO. 16: Have You, Your agent, Your attorneys, insurance company or anyone on Your behalf requested and/or received any information from any computer information source or center concerning the Plaintiff in this suit? If so, please state the name, address and job title of the person in possession or control of this information, the date the information was ordered, and the name, address, job title of the person so ordering the information, and the name of the information source or center used.

ANSWER: Not to my knowledge.

INTERROGATORY NO. 17: Please state whether You performed a pre-trip inspection on the vehicle You were operating when the Crash occurred, when that inspection took place, and whether the inspection was documented anywhere, and where such documentation is presently located.

ANSWER: I performed a pre-trip inspection on the truck in Laramie, Wyoming (about 2 hours away from the accident). As truck drivers for Northwest we have to send a video to the company of the inspection. The phone was in the truck at the time of the collision.

INTERROGATORY NO 18: If the answer to Request for Admission No. 7 is anything but an unqualified admission, state the factual basis for Your affirmative defense of “insufficiency of process” and/or “failure of service of process”.

ANSWER: Request for Admission No. 7 addresses whether I admit I was negligent in the Crash, so I do not know how to answer this question.

INTERROGATORY NO. 19: Please state whether You completed a driver's accident reports form or its equivalent at any time for Your employer/lessor detailing the incident of [date].

ANSWER: The police officer at the scene completed everything and was the only one I filled out a form with.

INTERROGATORY NO. 20: Please state whether You were operating or attempting to operate a cellular phone or other communication device (with or without Bluetooth technology) at the time of or in the minutes before the Crash with Plaintiff and provide Your cellular phone number and cell phone carrier in Your possession at the time of this Crash.

ANSWER: I was not operating my phone while driving or attempting to. I don't use my phone when driving. I had the phone on the dashboard at the time. The cell phone carrier is Boost Mobile. 7208096051

INTERROGATORY NO. 21: List all states in which You primarily operated a commercial motor vehicle for the thirty-six (36) months prior to the motor vehicle collision involving Plaintiff.

ANSWER: New Jersey, Idaho. I started in Winchester Ohio. As a truck driver we pass through many states.

INTERROGATORY NO. 22: For the trip at issue, please state whether You used a cellular device during the trip, specifically including, but not limited to the Amazon Relay App for purposes of route planning, tender acceptance, and communication.

ANSWER: I used the Cellular relay app.

VERIFICATION

STATE OF _____)
COUNTY OF _____)

I, _____, after first being duly sworn, state as follows:

I have read the responses to Plaintiff's First Set of Interrogatories to Defendant Justin Nzaramba. and the responses are true and correct to the best of my knowledge, information and belief.

(Signature)

(Printed name)

SWORN to and subscribed before me this the _ day of _____, 2023.

Notary Public

My Commission Expires: _____.

DATED this 23rd day of October, 2023.

Justin Nzaramba, Defendant.

By: /s/ Zenith S. Ward
Zenith S. Ward, WSB # 7-4584
Buchhammer & Ward, P.C.
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was forwarded as noted below, this 23rd day of October, 2023.

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Defendants.)

**DEFENDANT JUSTIN NZARAMBA’S RESPONSES TO PLAINTIFF’S FIRST
 REQUESTS FOR ADMISSION**

COMES NOW, the Defendant, Justin Nzaramba, by and through Counsel, and hereby provides his responses to *Plaintiff’s First Requests for Admission to Justin Nzaramba*.

REQUESTS FOR ADMISSION

REQUEST FOR ADMISSION NO. 1: Admit that on March 31, 2021, while operating a 2018 Volvo VIN4V4NC9EH7JN899142 (“Truck”) on behalf of ASD Express, LLC and traveling westbound on Interstate 80 in Sweetwater County, Wyoming, You caused a

collision by leaving Your lane of travel, crossing the median and entering eastbound Interstate 80, striking the vehicle operated by Daniel DeBeer ("Crash").

RESPONSE: I admit, but it was not my fault due to a fault with the truck. There was low tire inflation which caused the collision.

REQUEST FOR ADMISSION NO. 2: Admit that on March 31, 2021, You failed to maintain proper control while operating the Truck immediately before the Crash occurred with Daniel DeBeer.

RESPONSE: I admit, but it was not my fault due to a fault with the truck. There was low tire inflation which caused the collision.

REQUEST FOR ADMISSION NO. 4: Admit that You were not paying attention to the roadway in front of the tractor You were operating just prior to when the Crash occurred.

RESPONSE: Deny, I was paying attention to the roadway.

REQUEST FOR ADMISSION NO. 5: Admit that You did not reduce Your speed or slow down the tractor You were operating before the Crash occurred.

RESPONSE: Deny, I tried to reduce the speed before the crash occurred.

REQUEST FOR ADMISSION NO. 6: Admit that You were acting in the course and scope of Your employment with Defendant Northwest Express, LLC on March 31, 2021 when the Crash occurred.

RESPONSE: I admit.

REQUEST FOR ADMISSION NO. 7: Admit that Your actions were negligent in the Crash that occurred on March 31, 2021.

RESPONSE: Deny

REQUEST FOR ADMISSION NO. 8: Admit that had You been paying attention, You would have avoided going into the median and striking the tractor operated by Daniel DeBeer on March 31, 2021.

RESPONSE: Deny, I was paying attention.

REQUEST FOR ADMISSION NO. 9: Admit that You did not make any effort to avoid the Crash with Daniel DeBeer on March 31, 2021.

RESPONSE: Deny, I did my best to avoid the crash.

REQUEST FOR ADMISSION NO. 10: Admit that You did not apply the brakes on Your Truck before striking Daniel DeBeer's tractor on March 31, 2021.

RESPONSE: Deny, I did apply on the brakes before the collision.

REQUEST FOR ADMISSION NO. 11: Admit that Daniel DeBeer was not at fault or negligent in the March 31, 2021 Crash.

RESPONSE: I do not know what Mr. DeBeer was doing at the time of the crash or if he was at fault in any way.

REQUEST FOR ADMISSION NO. 12: Admit that Your negligence caused the injuries to Daniel DeBeer alleged in Plaintiff's Complaint that ultimately resulted in his death.

RESPONSE: Deny.

REQUEST FOR ADMISSION NO. 13: Admit that the Crash of March 31, 2021 caused property damage to both vehicles.

RESPONSE: I admit

DATED this 23rd day of October, 2023.

Justin Nzaramba, Defendant.

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Defendants.)

**DEFENDANT JUSTIN NZARAMBA’S RESPONSES TO PLAINTIFF’S FIRST SET OF
 REQUESTS FOR PRODUCTION OF DOCUMENTS**

COMES NOW, the Defendant, Justin Nzaramba, by and through Counsel, and hereby provides his responses to *Plaintiff’s First Set of Requests for production of Documents to Justin Nzaramba*.

REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1: Please produce any and all accident and/or incident reports and investigations prepared by Defendant as a result of the crash other than the police report.

RESPONSE: None.

REQUEST FOR PRODUCTION NO. 2: Produce copies of any and all insurance policies for the tractor-trailer involved in the collision with Daniel DeBeer.

RESPONSE: See Rule 26 Disclosures. Defendant has requested a copy of the insurance policy and will provide the same to Plaintiff upon receipt.

REQUEST FOR PRODUCTION NO. 3: Produce any logs kept—official or unofficial—for the month of the collision with Daniel DeBeer and six (6) months prior.

RESPONSE: I do not have anything in my possession. Everything was electronically stored and I do not have access to this.

REQUEST FOR PRODUCTION NO. 4: Please produce the Permanent Unit File or its equivalent pursuant to 49 CFR 396.3 including, but not limited to, records relating to the repairs, maintenance, and costs for the tractor and the trailer involved in the collision with Daniel DeBeer.

RESPONSE: Don't have anything in my possession relating to this.

REQUEST FOR PRODUCTION NO. 5: Please produce a copy of your cellular phone records for the day of the collision and the seven (7) days prior.

RESPONSE: I do not have these records in my possession.

REQUEST FOR PRODUCTION NO. 6: Please produce any cell phone on your person or in the tractor trailer at the time of the crash, subject to forensic protocol.

RESPONSE: The phone in my possession at the time of the crash was destroyed in the crash.

REQUEST FOR PRODUCTION NO. 7: Please produce a copy of your driver's license.

RESPONSE: Have requested and will provide upon receipt.

REQUEST FOR PRODUCTION NO. 8: Attached is an authorization for us to obtain Your Driving history, as indicated on the form, attached as "Exhibit A" hereto. Please complete, sign and return the form to use in response to this request.

RESPONSE: A copy of the form signed via DocuSign has been provided via email contemporaneously herewith.

REQUEST FOR PRODUCTION NO. 9: Please produce a copy of Your PSP record from the Federal Motor Carrier Safety Administration. You can download a copy of Your PSP record from the FMCSA at the following internet website:

<https://www.psp.fmcsa.dot.gov/psp/Driver#/start>.

Plaintiff is willing to reimburse You for the \$10.00 download charge. Please download the PSP record as a .pdf file and produce the .pdf file.

RESPONSE: I am working on downloading this and will provide upon receipt.

DATED this 23rd day of October, 2023.

Justin Nzaramba, Defendant.

By: /s/ Zenith S. Ward
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